

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,723,248
App. No. : 10/595,577
Issue Date : May 25, 2010
Inventors : Tomoyuki Ueno and Masashi Yoshimura
Docket No. : 039.0065
Customer No. : 29453

Honorable Commissioner for Patents
Office of Patent Publication
ATTN: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Expedited Issuance of Certificate of Correction **Pursuant to 37 C.F.R. § 1.322**

Sir:

In the above-identified patent, Patentee requests that a Certificate of Correction be issued.

The text of Patentee's requested correction is submitted on the accompanying Certificate of Correction form, PTO/SB/44.

It is respectfully submitted that the requested corrections are of errors of consequence. As stated in MPEP 1480, "The Office is . . . cognizant of the need for the public to have correct information about published patents." The requested corrections are so that the public will have correct information, for cross-referencing purposes, about the publication of a counterpart to the application that issued as the instant patent.

Furthermore, it is respectfully asserted that the requested corrections are of errors attributable solely to the Office. This assertion is believed to be unequivocally supported by the attached documentation, which is from the Image File Wrapper for App. No. 10/595,577, the application that issued as the present patent.

Attached as the supporting documentation are:

- A copy of a "DO/EO Worksheet," with the IFW document description "Miscellaneous Internal Document" (document code "IMIS"), and a mail room date of 04-28-2006.
- A copy of the first page of the Int'l. Pat. App. Pub. No. WO2005/040064, the publication of the International Application of which the application that issued as the instant patent was the U.S. National Stage. In the IFW for the instant patent, WO2005/040064 appears under the document description "Documents submitted with 371 Applications" (document code "371P"), and has a mail room date of 04-28-2006.

As is evident from the handwritten entries in the top portion of the DO/EO Worksheet, the U.S. application number, "10/595,577," and the International application number, "PCT/2004/016077," are entered correctly. Under "WIPO Publication Information," however, the publication number and date are entered as "WO2005/039733" and "05-06-2005" respectively.

- As the attached copy of the first page of WO2005/040064 clearly shows, Int'l. App. No. PCT/2004/016077 was **not** published as WO2005/039733.

Inasmuch as the attached documentation unequivocally demonstrates that the "PCT Pub. No." entry on the instant patent is in error, it follows that the erroneousousness of the "PCT Pub. Date" entered on the instant patent has also been sufficiently demonstrated.

Accordingly, as the present request is only for correction of Office, not Applicant, mistakes, and as the accompanying documentation should unequivocally demonstrate that the mistakes are the Office's alone, expedited issuance of a Certificate of Correction is earnestly requested.

Respectfully submitted,

June 30, 2010

/James Judge/

James W. Judge
Registration No. 42,701

JUDGE PATENT ASSOCIATES
Dojima Building, 5th Floor
6-8 Nishitemma 2-Chome, Kita-ku
Osaka-shi 530-0047
JAPAN

Telephone: **(305) 938-7119**
Voicemail/Fax: **(703) 997-4565**

DO/EO WORKSHEET

U.S. Appl. No. 10/545517

Patent Application Specialist/ National Stage Division

International Appl. No. PCT/JP2004/016077

Application filed by: ☐ 20 months ☒ 30 months

WIPO PUBLICATION INFORMATION:

Publication No.: WO2005/09733

Publication Language: ☐ English ☐ German ☐ Japanese ☐ Chinese ☐ Korean
☐ French ☐ Spanish ☐ Russian ☐ Other: _____

Publication Date: 05 06 2005

Not Published: ☐ U.S. only designated ☐ EP request

Published: ☐ EP request

INTERNATIONAL APPLICATION PAPERS IN THE APPLICATION FILE:

☒ International Application (RECORD COPY)

☐ Article 19 Amendments

☐ PCT/IPEA/409 IPER: ☐ EP ☐ JP ☐ SE ☐ AU
☐ US ☐ FR ☐ CN ☐ ES ☐ RU ☐ AT ☐ KR ☐ _____

☐ Annexes to 409

☒ PCT/ISA/237: ☐ EP ☐ JP ☐ SE ☐ AU
☐ US ☐ FR ☐ CN ☐ ES ☐ RU ☐ AT ☐ KR ☐ _____

☐ PCT/IPEA/409 or PCT/ISA/237 was NOT AVAILABLE at the time of paralegal review

☐ PCT/IB/306

☐ Request form PCT/RO/101

☒ PCT/ISA/210 - Search Report: ☐ EP ☒ JP ☐ SE ☐ AU
☐ US ☐ FR ☐ CN ☐ ES ☐ RU ☐ AT ☐ KR ☐ _____ ☐ NONE

☐ Search Report References

☒ Priority Document (s) No. 3

☐ N/A

☐ Priority Document was NOT AVAILABLE at the time of paralegal review

☐ Other: _____

RECEIPTS FROM THE APPLICANT (other than checked above):

☒ Basic National Fee (or authorization to charge)

☐ Description ☐ Claims ☒ Abstract

☐ Drawing Figure(s) - (# of drwgs. 0)

☐ Translation of Article 19 Amendments

☐ entered ☐ not entered:

☐ not a page for page substitution

☐ replaced by Article 34 Amendment

☐ Annexes to 409

☐ entered ☐ not entered:

☐ not a page for page substitution

☐ no translation ☐ other: _____

☒ Application Data Sheet

☒ Power of Attorney

☐ Change of Address

☒ Preliminary Amendment(s) Filed on:

1. ☐ same as 371 request date 2. 4/28/00 3. _____

☒ Information Disclosure Statement(s) Filed on:

1. ☐ same as 371 request date 2. 4/28/00 3. _____

☐ Assignment Document (forwarded to Assignment Branch)

☐ Assignee Statement Under 37 CFR 3.73(b)

☐ Assignee PG Publication Notice

☐ Substitute Specification Filed on:

1. ☐ same as 371 request date 2. _____ 3. _____

☐ Verified Small Status Statement

☒ Oath/ Declaration (executed) 4/28/00

☒ Oath/ Declaration ☐ unsigned ☐ no citizenship ☐ other

☐ DNA Diskette ☐ Sequence Listing

☐ Other: _____

NOTES: ☐ I.A. used as Specification ☐ Other: _____

35 U.S.C. 371 - Receipt of Request (PTO-1390)

mo. 04 day 28 yr. 2006

Date Acceptable Oath/ Declaration Received

☐ Same as 371 Req. Date; ☐ mo. 4 day 28 yr. 2006

Date of Completion of requirements under 35 U.S.C. 371

☐ Same as 371 Req. Date; ☐ Same as OATH Date; ☐ mo. 4 day 28 yr. 2006

Date of Completion of DO/EO 903 - Notification of Acceptance

2-28-2007

Date of Completion of DO/EO 905 - Notification of Missing Requirements

Date of Completion of DO/EO 909 - Notification of Abandonment

Date of Completion of DO/EO 916 - Notification of Defective Response

Date of Completion of DO/EO 922 - Notification to Comply w/ Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures

Date of Completion of DO/EO 923

明細書

セラミックス複合材料およびその製造方法

技術分野

- 5 本発明は、各種構造部材や切削工具、摺動部材、モールド型材料等に使用される高耐摩耗・低摩擦のセラミック材料として、室温から中低温領域で優れた機械的特性を有するセラミックス複合材料及びその製造方法に関する。

背景技術

- 10 従来、窒化ケイ素等のセラミックス材料にC等の固体潤滑性粒子を分散させ、摩擦係数や比摩耗量を改善した材料が知られている。

- 例えば、特開2003-34580号公報には窒化ケイ素と窒化チタンならびに0.5～20wt%のグラファイト、カーボンの複合材料により、摩擦特性や耐摩耗特性に優れた材料が報告されている。しかし、特開2003-34580号公報に記載の条件で粉末の焼結を試みた結果、SEMを用いて2000倍で観察を行
- 15 ったところオープンポア率が3%以上と大きく直径20 μ m以上のポアが多数観察され、型として使用することは不可能であることが判明した。

- また、特開昭60-100646号公報にはアルミナ、およびジルコニアの粉末に耐酸化性合金としてC、Cr、Mo、W、Al、Ti、Niを0.5～6wt%含有する高靱性材料が報告されているが、Cの含有量が0.1～0.2wt%と少なく、型としての潤滑性に欠ける。
- 20

- そして、特開平09-87029号公報には炭化ケイ素に粒径5 μ m以上の炭素を2～50wt%添加した材料が耐摩耗性に優れると報告されており、特開平05-301773号公報には炭化チタンマトリックス中に平均結晶粒径3～6 μ mのグラファイトを3～30wt%分散した材料が報告されている。しかし、炭素の平均結晶粒径が3 μ m以上と大きく、所望の形状に加工した際に表面粗さが粒径の影響を受け、平均面粗さ10nm以下の鏡面形状を得ることが困難である。
- 25

- さらに、特開平10-231174号公報には非酸化物系セラミックスにグラファイト、BNを分散させ境界層に鉄の化合物（酸化物、ケイ化物等）を介在させ